

**Special Meeting
Board of Trustees
Of the Employees' Retirement System
Of the City of New Orleans
Purchasing Conference Room
1300 Perdido Street, Room 4W05
September 2, 2014
3:15 p.m.**

Trustees Present:

Ms. Lisa M. Hudson, Vice Chairperson
Mr. Norman S. Foster, Treasurer/CFO
Mr. Robert Gebrian, Retiree Representative
Ms. Courtney B. Bagneris, Active Representative

Absent Trustee:

Dr. Edgar L. Chase, III, Chairman

Others Present:

Jesse Evans, Jr., Director of Employees' Retirement System
Janet H. Easterling, Adm. Support. Supervisor, Employees' Retirement System
Kimberly Smith, City Attorney's Office
Jane Armstrong, Phelps Dunbar

The chairperson called the meeting to order at 3:15 pm.

OLD BUSINESS

Attorney for Possible Case Abandonment Mr. Evans informed the Board that three firms responded to the informal bid process before the deadline of Friday, August 28th by 12 pm; however, one firm responded after the deadline. He contacted the Procurement Office to inquire as to whether the late response could be accepted, because it was an informal bid process. Mr. Evans was told by the Procurement Representative that he could not consider the late response. He said that in the package is a summary of the three respondents (Tom Cortazzo from Baldwin, Haspel Burke & Mayer; Elham Rabbani from Hangartner, Ryberd & Terrell, LLC and Michael Weiner Attorney at Law, LLC). The summary included the completion time, hourly rate and the estimated total cost. Mr. Evans informed the Board that Michael Weiner did not give an estimated total cost. Ms. Bagneris expressed concern about the Board not having approval from the City Council to hire outside counsel according to the Chapter 114. Ms. Hudson said that the Board has been seeking approval for a couple of years. Ms. Bagneris said that the Board still does not have approval from the City Council to hire outside counsel according to the code. Ms. Hudson said that process is being done as an interim measure and not to stop the process of seeking approval from the City Council to hire outside counsel.

**Special Meeting
Board of Trustees
September 2, 2014
Page 2**

A motion was made by Mr. Gebrian and seconded by Ms. Bagneris to retain Tom Cortazzo from Baldwin, Haspel, Burke, & Mayer who is the low bid. The motion passed with three in favor (Mr. Gebrian, Ms. Bagneris and Ms. Hudson) one against (Mr. Foster). Mr. Foster read the City Charter, Section 403 Special Counsel (3) "The Council may, by two-thirds vote of its entire membership, authorize any officer, department or board to employ special counsel for any special matter presenting a real necessity for such employment... (1) No special counsel shall be retained to represent the City or any officer, department, or board except the Sewerage and Water Board, the Department of City Civil Service, the Public Belt Railroad Commission, and the Board of Liquidation, City Debt, and except as may herein be otherwise provided."

There being no further business, a motion was made by Mr. Gebrian and seconded by Ms. Bagneris to adjourn. The motion passed unanimously.



Jesse Evans, Jr.
Director

JE/jhe